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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and
HERMÈS OF PARIS, INC.,

Plaintiffs,

v.

MASON ROTHSCHILD,

Defendant.

No. 22-cv-00384-JSR

EXPERT REPORT OF DR. BLAKE GOPNIK

September 1, 2022

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SUMMARY

1. In the following report, I show how the images and NFTs produced and sold by Mason Rothschild find their natural and obvious home among the artistic experiments carried out by modern artists over the last century. Like several important predecessors, Rothschild seeks to probe the nature of art, and of commerce, by blurring the distinction between the two categories. In engaging with the commercial world of Hermès Birkin bags, his art turns commerce itself into an art supply.

QUALIFICATIONS AND CREDENTIALS

2. My CV is attached to this report.¹ In 1994, I completed a doctorate in the history of art at the University of Oxford, with a concentration in the psychology and philosophy of representation. I then lectured in art history at McMaster University in Hamilton, Ontario, before becoming fine-arts editor and then lead art critic at the *Globe and Mail* newspaper in Toronto.

3. I became the chief art critic of the *Washington Post* in 2001, and for a decade I wrote on the full range of modern and contemporary art for the paper. In 2010, I was hired as the staff art critic at *Newsweek* magazine and since 2012 have been a regular contributor to the arts coverage of the *New York Times*. At both *Newsweek* and the *Times*, I published essays with

¹ My CV includes a selected list of my written work. I have also attached a list showing my other written work during the past 10 years.

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direct bearing on the “MetaBirkins” art of Mason Rothschild and its artistic commentary on commodity culture.

4. In 2020, HarperCollins published my 1,000-page book titled *Warhol*. It stands as the first comprehensive biography of Pop artist Andy Warhol, whose work is the crucial precedent for Rothschild’s own artmaking.

5. Earlier this year, the Spritmuseum in Stockholm, Sweden, commissioned me to curate a 2024 exhibition on Warhol and the Business Art movement he helped launch. After studying the “MetaBirkins” project, in online images and various texts written about it, I am considering it for inclusion in a final section of the exhibition reserved for the movement’s 21st-century heirs in the new world of NFTs.

MATERIALS RELIED UPON; COMPENSATION

6. I have mentioned in footnotes to this report materials I have relied upon in forming my opinions. In addition to those materials set out in the footnotes, I reviewed and relied upon the following materials: (a) the website at metabirkins.com; (b) court documents as follows:

- Case 1:22-cv-00384-AJN-GWG Document 24
- Case 1:22-cv-00384-AJN-GWG Document 27
- Case 1:22-cv-00384-AJN-GWG Document 31
- Case 1:22-cv-00384-AJN-GWG Document 38
- Case 1:22-cv-00384-JSR Document 50
- Expert Report of Scott Duke Kominers, Ph.D., August 5, 2022

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— Supplement to Expert Report of Scott Duke Kominers, Ph.D., Aug. 26, 2022

— Documents produced in discovery with the following Bates numbers:

Rothschild008266-8267; Rothschild008303-8320; Rothschild008390-8396;
Rothschild008398-8404; Rothschild008409-8448; Rothschild008463-8469;
Rothschild011349-11353; Rothschild011356-11366; Rothschild011372-
11376; Rothschild011378-11385; Rothschild011391-11409;
Rothschild011416-Rothschild011428; Rothschild011433-11485;
Rothschild011508-11518; Rothschild014566-14594; Rothschild014635-
14637; Rothschild014643-14645; Rothschild014647-14655;
Rothschild014660-14663; Rothschild014669-14678; Rothschild014683-
14685; Rothschild014687-14694; Rothschild014698-14702;
Rothschild014705-14712; Rothschild014728-14734; Rothschild014738-
14752; Rothschild014796-14802

7. I am being compensated \$11,400 for my work in preparing this report, a lower amount than I would otherwise charge in light of the importance of this case to the public. I am charging a reduced hourly rate for my deposition and trial time of \$200/hr. My compensation is not dependent in any way on the results of my work, my opinions, or the outcome of this matter.

ART-HISTORICAL PRECEDENTS AND CONTEXT FOR THE “METABIRKINS” WORKS

8. Projects that deliberately blur the boundaries between commerce and art have been some of the most important artistic products of the 20th and 21st centuries, eras when

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consumer culture has dominated our society's consciousness, and therefore much of our best art, as well. This is the historical context in which Mason Rothschild's own art must be understood.

9. Marcel Duchamp and the birth of Business Art: Our modern crossover between commodities and art had begun by 1917, when French artist Marcel Duchamp presented a standard, store-bought urinal for inclusion in a New York art exhibition under the title of "Fountain," thereby for the first time bridging the categories of the commercial and the artistic. In 2004, a survey of experts deemed Duchamp's piece to be the most influential artwork of the 20th century. It launched a series of other works, by Duchamp and a host of followers, that commented on the commodity culture of our times by participating in it. Mason Rothschild's "MetaBirkins" project clearly lives within that tradition.

10. Andy Warhol as a Business Artist: Marcel Duchamp's most significant heir was Andy Warhol, whose famous Pop Art was often built around a confusion between the cultures of art and commerce. His first significant exhibition, at the Ferus Gallery in Los Angeles in 1962, presented 32 paintings of Campbell's Soup cans that differed only in the flavors of soup on their labels. As documented in my Warhol biography,² contemporary critics greeted these works as either scandalous or brilliant, specifically because of the way the Soups straddled fine art and commodity culture. Warhol doubled-down on this direction in his art with his Brillo Boxes, facsimiles of standard supermarket cartons that he exhibited in New York in 1964. The late Arthur Danto, one of America's most eminent philosophers, saw these as among the most

² Blake Gopnik, *Warhol* (HarperCollins, 2020).

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important works of Western art ever; his study of Warhol's Brillo Boxes, which examined how they expanded artistic boundaries and definitions, spawned an entire school of thought in the philosophy of art. Rothschild's "MetaBirkins" falls squarely within the expanded definitions that Warhol proposed and that Danto and his followers have analyzed.

11. Business Art as a cultural movement: By the end of the 1960s, Andy Warhol had filled New York galleries with any number of projects that were clearly art (his many canvases silkscreened with flowers; his wallpaper covered with pink cows) but that were also hard to tell from deluxe commodities for sale elsewhere in the culture (the flowered dresses silkscreened by the Finnish firm Marimekko; colorful wallpapers for sale in home-décor shops). Warhol's work was commenting on the prevalence of consumption in American culture, but also on the ways that a booming art market had turned paintings into consumer commodities akin to dresses and wall coverings—or, as we might note today, to the Birkin bags by Hermès that Rothschild has chosen to comment on. Just as Warhol was drawing comparisons between the high-end fine art for sale in galleries and a consumer textile for sale in stores, so Rothschild's "MetaBirkins" artwork draws a comparison between the digital art of our era, for sale as NFTs, and the elite bags sold by Hermès.

12. A clear distinction between "art" and "commerce" has never really been credible in Western societies: One way or another, art has always been paid for; it has often been offered for sale. In underlining that fact, Warhol, and Rothschild, have also shown that art is uniquely placed to comment on our commodity culture rather than simply swimming in it—as a deluxe

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wallpaper or fancy purse might. The Warholian point is that artists can never really choose between commerce *or* art, but they can choose to engage with commerce *as* art.

13. In his report for this case, Scott Duke Kominers consistently tries to distinguish between what he calls “art-only” NFTs and “digital-brand” NFTs,³ but the distinction is specious, and nothing in the supplement to that report leads me to think otherwise. Any fine artist eager to be recognized in the 21st century, and to earn a living, would naturally adopt many or all of the strategies used to publicize and sell branded products, and this would include the strategies that brands adopt in the new world of NFTs. As I outlined some time ago in an analysis for the *Washington Post*,⁴ at least as far back as Rembrandt an artist’s signature style has also functioned to create brand-recognition in the market for art; there is simply no way to distinguish between an artist’s properly “aesthetic” activities and the way they use those aesthetics to establish the brand that their market, like most elite markets, depends on. Even as they make their art, most artists are also running a small business whose function is to sell that art. To do that, they can choose to use the same marketing strategies that any other business would use. Just as Pablo Picasso was a master at manipulating the 20th-century market for physical art objects, playing dealers and collectors off each other to control his art’s supply and demand, so today’s artists should be expected to understand and use all aspects of the 21st century’s new digital markets for their goods and images.

³ Expert Report of Scott Duke Kominers, August 5, 2022, paragraph 30.

⁴ Blake Gopnik, “Rembrandt’s Genius Lies In the Brand, not the Hand,” *Washington Post*, April 30, 2006: <https://www.washingtonpost.com/archive/lifestyle/style/2006/04/30/rembrandts-genius-lies-in-the-brand-not-the-hand/a16c3c2e-84a7-4207-a61f-b65b14a64e0b/>

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14. Many living artists who achieved success before the age of NFTs have been doing their best to embrace NFTs as a new medium for marketing themselves and their work.⁵ It would be strange for them not to embrace the full range of marketing opportunities, including digital “utilities,” that Kominers sees as restricted to his so-called “digital brands.” Any artist who restricts his or her digital engagement to an “art-only” space, as Kominers suggests some do, has simply failed to take advantage of the marketing options that NFTs present. Some of the projects that Kominers classes as “digital brands,” such as the NFTs of the Bored Ape Yacht Club,⁶ are in fact widely discussed in the context of NFT art. As quoted in the supplement to the Kominers report, Rothschild speaks of the advantages that come with building a sense of community among the members of his art’s digital audience—in knowing “who your core fans are,” and interacting with them “on a daily basis, like, you know, in seconds”⁷—and in doing that he is simply doing what any smart artist ought to do in the age of NFTs. He is not in any way signaling that he is entering some other non-art domain of “branding,” as Kominers suggests he is—Rothschild couldn’t make such a switch if he wanted to, because no such separate domain has ever existed.⁸

15. What Warhol realized, and passed on to heirs such as Rothschild, is that by sowing confusion between more evidently marketed consumer commodities and “fine art” (he once

⁵ See, for example, the NFT projects of New York’s prestigious Pace gallery, showcasing its veteran artists, at <https://www.pacegallery.com/pace-verso>. See also the comments of John Gerrard in Blake Gopnik, “One Year After Bepple, the NFT Has Changed Artists. Has It Changed Art?,” New York Times, March 3, 2022.

⁶ Expert Report of Scott Duke Kominers, August 5, 2022, paragraph 53 and passim.

⁷ See Rothschild’s August 16 Twitter Space conversation (transcript page 46, line 23), as quoted in Supplement to Expert Report of Scott Duke Kominers, Ph.D. August 26, 2022, p. 3.

⁸ See Rothschild’s August 16 Twitter Space conversation (transcript page 46, line 23), as quoted in Supplement to Expert Report of Scott Duke Kominers, Ph.D. August 26, 2022, p. 3.

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referred to his Soup Cans as “portraits”) he could reap an artistic profit as well as a financial one. By confusing art and commerce, that is, Warhol drew attention to what we might call the “Rembrandt situation” that had long been in force in the art world, but was rarely acknowledged. Rothschild brings Warhol’s maneuver into the 21st century by rejecting any difference between “art-only” NFTs and “digital-brand” NFTs. You might say that his “MetaBirkins” set out to prove that the naïve distinction that Kominers and others might want to draw between art and branding can no longer hold, if it ever did.

16. As outlined in an article commissioned from me by the *New York Times* in 2018,⁹ Warhol’s work led other artists of the era to dig still deeper into similar artistic ideas. In 1969, *Life* magazine published an extensive feature on this trend, whose works included a shipping pallet stacked high with \$250,000 in dollar bills and a piece that asked the Whitney Museum of American Art to take out a \$100,000 loan against its collection and to invest the amount instead — as art.¹⁰ That same year, *Artforum* magazine, to this day the most prestigious publication on contemporary art, gave one of its covers over to the work of Iain and Ingrid Baxter, of Vancouver, who had created a corporate alter-ego called the N.E. Thing Co., which offered corporate services of all kinds as works of art.

17. Les Levine, a friend and rival of Warhol’s in New York, opened a restaurant, with the entire enterprise counting as an aesthetic endeavor. It served Canadian deli food and so didn’t last long—but its failure as a business did not detract from its success as a work of art.

⁹ “Andy Warhol Inc.: How He Made Business His Art,” *New York Times*, Nov. 1, 2018.

¹⁰ “Art You Can Bank On,” *Life* (September 19, 1969): 58.

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18. Business Art and business ventures: The influential crossover between commerce and art that Warhol initiated in the 1960s came to full fruition in his work of the following decade. That's when he coined the term "Business Art," by which this important form of conceptual art is now known.

19. My biography of Warhol explains the situation as follows:

In the mid-1970s, Warhol (or a ghostwriter) summed up his position with the famous proposition that "being good in business is the most fascinating kind of art. Making money is art and working is art and good business is the best art." But like most Warholian aphorisms, that one doesn't shed much light on what he was really up to, since the "business" he took on was only rarely "good," at least in standard Wall Street terms.

The real, very Warholian creativity came in making the statement at all rather than in trying to realize its claims. Coming up with the conceit of Business Art, that is, let Warhol produce objects and offer them for sale while insisting that the offering, more than the objects, counted as the art. It was the performance that mattered, not its cash results. In the early 1980s, when Warhol was often billed as a full-blown sell-out, he reacted with unusual venom when his print dealer said they were going to be having a chat about Warhol-brand bed linens. "No. We're not," Warhol told him. "Sonny, I've turned down millions of dollars in deals for sheets and pillowcases and I'm not going to do it for you." In one unpublished diary entry, he said it was "so sick" that rich people could spend \$5,000 on sheets.

The aphorism that "Good business is the best art" tells us less about Warhol's real desire for success in business than it tells us about his eagerness always to move forward into virgin territory in art—in this case, by dressing it up as business.

20. It's not clear that Warhol's most corporate projects ever made much sense as business ventures: His "Andymat" chain of diners, serving only reheated frozen foods, folded before it sold a single meal; *Interview* magazine, which dominated Warhol's studio and its staff in the 15 years before his sudden death, in 1987, at best broke even and often lost money. He kept pouring money into such "failing" projects because of the promising, properly artistic

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confusion they continued to spawn as they straddled, or even dismantled, the border between art and commerce.

21. On the other hand, there were cases where the very financial success of a project that might normally be seen as traditional fine art suggested that it had a better fit in Warhol's new genre of Business Art. This was especially true of the society portraits that funded Warhol's entire enterprise for most of the 1970s and '80s. He knew, as many of his critics insisted, that endless silkscreened canvases of miscellaneous tycoons and doyennes could not be taken terribly seriously as contributions to the Old Master portrait tradition. As elements or "art supplies" in his new Business Art project, however, those portraits stood out as truly avant-garde, worthy of a place among the other examples of the new Business Art genre that had come on the scene in the late 1960s. Since Warhol's portraits brought in real money, they stood squarely in the realm of real business, even as so much about them also screamed "art." As Business Art, they conveyed the message that all art, however excellent in traditional terms, also existed in both these spaces at once.

22. Once the avant-garde had declared the death of the traditional media of painting and sculpture—in part because any aesthetic dividends they paid seemed to have been swamped by their financial returns—business itself seemed to be the art supply most likely to cast light on the commercialized world that surrounds us. The more that art might be confused with commerce, the more likely it was to have impact as truly novel and significant art that might puzzle and disturb. The cultural disturbance caused by Mason Rothschild's "MetaBirkins"—including to the Hermès company—indicates that they are exploring similar

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terrain. By participating in the world of digital brands, home to Hermès and other high-end commodities, Rothschild gets to probe how fine art and branding might interact in the 21st century. Using the language of the Kominers report, you could say that, as an artist, Rothschild deliberately rejects the restricted world of “art-only” NFTs (I have argued in the *Times* that its artistic potential is close to non-existent)¹¹ and instead ventures into the world of “digital-brand” NFTs that seems to have real leverage on our current reality. Rothschild’s art would have far less significance if it had not crossed over into Hermès-style branding. As discussed below, almost the *only* artistic potential of NFTs comes from their contacts with novel marketing—that is, their potential lies in their success as Business Art. And to be successful as Business Art, Rothschild’s work needs to have the closest of connections with visibly successful business.

23. Business Art in the 21st Century: In 2011, a book on the topic of Business Art ran to almost 400 pages, and included sections on 49 contemporary artists who have explored the genre.¹² Several of the art world’s best known figures of recent decades have done the same and provide a contemporary context for Mr. Rothschild’s “MetaBirkins.”

24. One of the purest examples of post-Warhol Business Art can be found in the work of the prominent Japanese artist Takashi Murakami. In a pioneering essay on Murakami, Scott Rothkopf, the chief curator at the Whitney Museum, wrote about how capitalist business

¹¹ Blake Gopnik, “One Year After Beeple, the NFT Has Changed Artists. Has It Changed Art?,” *New York Times*, March 3, 2022.

¹² Luis Jacob, ed., *Commerce by Artists* (Toronto: Art Metropole, 2011).

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models are at “the very core” of everything the artist has done.¹³ Murakami’s career retrospective at the Brooklyn Museum in 2008—its classic Business Art title was “©Murakami”—included a pseudo-store positioned halfway through the show that offered a collection of handbags produced by Murakami. As I said in my review of the show, “Once staged in a venerable museum, Murakami’s art about consumerism becomes more powerful than simple merchandise could ever be.”¹⁴

25. The British artist Damien Hirst, although perhaps best known for his stuffed sharks set afloat in tanks of formaldehyde, has had more art-historical significance as a Business Artist than as a sculptor. The diamond encrusted skull that he commissioned from jewelers in 2007 got its artistic potency from its \$100,000,000 asking price, as I explained at the time in the *Washington Post*.

You could say that the price tag, with its nice round number trailing all those lovely zeros, is the most important and valuable art supply that went into the piece, and is what makes it work.

That’s because “For the Love of God” isn’t only an example of conspicuous consumption, like some joy ride to outer space. It is a work of art that is all *about* outrageous and pointless overspending. And the best way for it to be about that is for it to insist that it is also the ultimate example of it: White Cube [Hirst’s gallery] claims the skull’s fabrication drove up the price of certain kinds of diamonds; the Bond Street firm that crafted it, “jewelers by Royal Appointment to both Her Majesty the Queen and His Royal Highness the Prince of Wales,” describe the skull as “the largest diamond piece commissioned since the Crown Jewels.”¹⁵

¹³ Scott Rothkopf, “Takashi Murakami: Company Man,” *©Murakami* (New York: Rizzoli, 2008), 140.

¹⁴ Blake Gopnik, “Toying With Catastrophe: Takashi Murakami Coats the Toxic Fruit of Consumer Culture With Bold, Playful Imagery,” *The Washington Post*, May 5, 2008.

¹⁵ Blake Gopnik, “An Anatomy of Consumption,” *The Washington Post*, Sept. 7, 2007.

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26. Rothschild's "MetaBirkins" mine a similar artistic seam. In order to fully bring high-end consumption to our attention, they need to riff on a conspicuous example of it—and almost nothing could fit the bill as well as the celebrated Birkin bag by Hermès, costing as much as \$300,000 for a few square feet of hide.

27. The very public, showy sale of the "MetaBirkins," using all the techniques and "utilities" of digital branding, also fits within a tradition earlier explored by Damien Hirst.

28. In September of 2008, on the very day that Lehman Brothers went under, Hirst staged a massive sale of more than 200 works of his own art at Sotheby's auction house in London, taking in almost \$200 million from buyers. Yet the auction was less about the objects that sold than it was about itself, as a public work of performance art. "The Gesamtkunstwerk"—the all-encompassing work of art—"was very much a part of it," said Cheyenne Westphal, who was in charge of the sale for Sotheby's.¹⁶

29. Hans Ulrich Obrist, one of the most celebrated curators in today's art world, has noted that no other auction has also become a part of art history, on a par with the paintings and sculptures the discipline normally studies.

30. Rothschild's "MetaBirkins" are likewise more notable for their cultural presence as a collection of works for sale than for their virtues as individual aesthetic objects.

31. **NFTs as Business Art:** In just the last two years, the art world and its market have shifted focus from traditional sales, at auction and in galleries, to the brave new world of

¹⁶ Blake Gopnik, "Damien Hirst Repackages Warhol for Our Times and Sells Himself," *Newsweek*, March 19, 2012.

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nonfungible tokens. That’s where Rothschild’s “MetaBirkins” have their principal home. As works of a truly contemporary Business Art, that’s the only place where “MetaBirkins” can afford to live.

32. As I argued in a lengthy recent treatment of NFTs, commissioned from me by the New York *Times*, these blockchain tokens themselves don’t have any real aesthetic value, since they are nothing more than certificates of authenticity that can be attached to any kind of art object at all, regardless of its appearance.¹⁷ Where they do truly take their place in art history, I explained, is within the Business Art tradition, where the fact that they get traded, and what that trading means, are vital to their cultural power.

33. For example, the central interest in the rather banal digital images of the famous NFTer known as Pak comes from the way they are offered to the public for just minutes at a time, with the total number you buy affecting the kind of NFT’d image you get. The central interest in Rothschild’s “MetaBirkins” NFTs similarly comes from their place as high-priced commodities in the immaterial blockchain economy, and how that closely echoes the place that Hermès’s Birkin bags take up in the real world of material goods and that Kominer’s so-called “digital brands” take up in the world of NFTs.

34. Birkin bags are bought by a rarefied class of people who can afford such conspicuous moments of consumption. Rothschild’s NFT’d “MetaBirkins” are meant to mimic this economic aspect of the real-world bags they depict—in much the same way, in fact, that a more

¹⁷ See Blake Gopnik, “One Year After Beeple, the NFT Has Changed Artists. Has It Changed Art?,” New York *Times*, March 3, 2022.

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traditional artistic depiction points to something of interest by mimicking its appearance. As Rothschild put it in an interview, since Birkin bags are fundamentally about “showing off” extreme wealth, NFTs that fetch “crazy amounts of money” have a similar status.¹⁸ The particular combination of Rothschild’s production of NFTs, and the way they reference the Birkin bags of Hermès, allows Rothschild to make an important artistic point about the way that our society—including the art world—is dominated by high-status goods.

35. The function of the “MetaBirkins” would therefore dissolve—Rothschild’s artistic expression would be stymied—if they had to represent generic handbags of no particular cultural interest or distinction. NFT’d images made to mimic a purse sold at Walmart would be sure to get little artistic traction in our Hermès-mad culture. The Kominers report submitted in this case is quite right to note that the success of Rothschild’s “MetaBirkins” depends on their connection to the Hermès brand, but this is true of any art that points to something of note in our culture. It is certainly true that the art of Diego Velazquez might have meant less to viewers had it not been depicting, and commenting on, the imperial potentates of 17th-century Spain, but that does not detract from that art, or make it less art-full. Ditto for Warhol’s concentration on vital American brands such as Campbell’s and Brillo—and Marilyn Monroe. No-name soups, or stars, would certainly have had less success in the market for ideas or for paintings.

¹⁸ “NFT artist: ‘MetaBirkins’ project aims to create ‘same kind of illusion that it has in real life’,” Yahoo Finance Video, Dec. 6, 2021.

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‘METABIRKINS’ AS A TITLE

36. At its most basic, the title “MetaBirkins” does what titles in art most commonly do: It indicates the subject of the artwork. In fact, when curators and art historians come across a work that hasn’t been titled by its artist—few Old Master paintings ever were—they give it a title that is simply a description of what is shown in it: “Girl with a Pearl Earring” or “The Virgin of the Rocks.” Most often, an artistic title has no bigger aim than to let us pick out one work of art from all others, by naming its subject. Given that Mason Rothschild’s “MetaBirkins” depict, well, Birkins, it would have been almost bizarre for him not to have indicated that in his title.

37. But of course Rothschild’s full title, “MetaBirkins,” adds to the Birkins that it describes as his subject, just as his artwork goes beyond a simple realist depiction of the Hermès bags. Rothschild himself has said that one thing he has in mind, in his artistic experimentation, is to transfer the Birkin bag, with all its real-world cultural baggage, into a digital world where virtuality reigns—that is, into what is often called the “metaverse.” The “meta” in the title “MetaBirkins” flags that attempt, and helps to make clear at least one aspect of Rothschild’s larger project: It tells us to consider the bag we see in Rothschild’s NFT as a new kind of elite metaversal commodity. Rothschild’s art asks us to imagine the “Metabirkin” as the kind of deluxe Hermès bag a MetaKardashian might carry, in the virtual reality we will all inhabit—at least if Mark Zuckerberg has his way. That lends a speculative quality to Rothschild’s work that aligns it with certain kinds of literary science fiction, where current cultural trends and goods are extrapolated into the future.

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38. As Rothschild explained in an interview,¹⁹ he wanted to transfer the real-world aura of the physical Birkin into the virtual domain, meaning that the difference between a Hermès Birkin and a Rothschild “MetaBirkin”—one physical, the other virtual and electronic—was at least as important as any visual similarity there might be between the two objects. (And the visual similarity is weaker than Rothschild might have made it: His images portray “MetaBirkins” that come covered in goofy, garish fake fur that goes quite against the “classy” image that Hermès cultivates for its real-world purses; Rothschild’s ridiculous fur flags the absurdist, parodic intent of his project. It is almost impossible to imagine that Hermès would have chosen to create similarly fur-covered purses—or uterus-bags, as in Rothschild’s earlier “Baby Birkin” project—whether in reality or as NFTs in the coming metaverse. The sheer absurdity of that fur helps to make clear the artistic nature of Rothschild’s project.)

39. But the prefix “meta-” in Rothschild’s title also fulfills another, possibly more important function. It tells an informed viewer that the interest we are supposed to take in the Birkin that Rothschild has labelled “meta” comes from a larger comment it makes, rather than from its mere virtues as a depiction of a fancy purse.

40. This has been one standard use of the prefix “meta-” for several decades: A painting that repeats a famous work from the past, such as the Mona Lisa, counts as a “metapainting”: It takes a distant look at the meaning and history of how artists have used paint; it doesn’t aim simply to be a fine painting in its own right. “Metafiction,” a common category in contemporary

¹⁹ “NFT artist: ‘MetaBirkins’ project aims to create ‘same kind of illusion that it has in real life,’” Yahoo Finance Video, Dec. 6, 2021.

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literature, similarly scores its points by talking about the nature and function of fiction; it doesn't aim to tell a gripping tale about compelling characters. The name "MetaBirkins" therefore tells us, among other things, that we should read the image it comes attached to as an attempt to make a larger comment on the nature of the Birkin bag—and therefore on the nature of elite commodity culture. The combination of the prefix "meta-" with the brand name "Birkin" tells us that we're dealing with more than the latest fancy object labeled "Birkin," such as the Hermès company might release on its own behalf. It tells us to take a step back and contemplate what Birkin-ness really means to our society.

A handwritten signature in black ink, reading "B Gopnik". The signature is written in a cursive, slightly stylized font. The "B" is large and loops around the "G". The "Gopnik" is written in a more fluid, cursive script.

Dr. Blake Gopnik

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BLAKE GOPNIK

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CURRICULUM VITAE

PROFESSIONAL EXPERIENCE:

Writing and Reporting

2022 - 2025 **HarperCollins USA**

Contracted to write the first records-based biography of Albert Barnes, founder of Philadelphia's celebrated collection of modern art.

2012 - present ***The New York Times*, New York, NY**

Regular freelance contributor to the weekday Arts and Sunday Arts and Leisure sections. Author of major profiles of such figures as Claes Oldenburg and Kara Walker and features on topics including Andy Warhol's *Empire* and Edward Hopper's copying. Publications at www.nytimes.com/by/blake-gopnik

2013 - 2020 **HarperCollins USA and Penguin UK.**

Author of *Warhol*, the first comprehensive biography of Pop artist Andy Warhol, reviewed and featured in more than 75 publications.

2014 - present **Marketplace Morning Report at American Public Media**

Frequent radio appearances as an expert on the intersections between business and art.

2014 - 2016 **Artnet News, New York, NY**

Critic at Large. Launched "Strictly Critical," video reviews of current art with Christian Viveros-Fauné. Publications at news.artnet.com/about/blake-gopnik-86

2011 - 2013 **Newsweek and TheDailyBeast.com, New York, NY**

Art and Design Critic. Criticism, feature writing and Web postings on important figures, events and issues in the visual arts for the weekly magazine and its Web site. Publications at www.newsweek.com/authors/blake-gopnik

2001 - 2011 **The Washington Post, Washington, DC**

Chief Art Critic. Reviews, features and essays on national and international visual arts events and issues. Pioneer in Web video at the Post. Launched "The Daily Pic," a daily column discussing a single work of art or cultural artifact at BlakeGopnik.com. Since 2010, more than 2,000 items have gone out to over 130,000 followers on social media.

1998 - 2000 **The Globe and Mail, Toronto, ON**

Visual Arts Critic for Canada's national newspaper. Regular reviews and features on the art scene in Canada and abroad.

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Editing

1996 - 1998 **The Globe and Mail, Toronto, ON**

Visual and Performing Arts Editor. Responsible for all aspects of the assigning and editing of stories in the fine arts, theatre and dance.

1995 **Insite magazine, Toronto, ON**

Editor in chief of Canada's leading magazine on architecture and design.

Teaching

2012 - present **Institute of Fine Arts, New York University**

Guest speaker in courses on the High Renaissance, on the exhibition industry and on close readings of art.

1994 - 1995 **McMaster University, Hamilton, ON**

Lecturer in historiography and Renaissance art.

1992 **Centre for Medieval and Renaissance Studies, Oxford, U.K.**

Lecturer in Italian Renaissance art.

1990 - 1992 **Beaver College, Oxford, U.K.**

Lecturer in Renaissance art and the psychology of representation.

EDUCATION:

1995 **University of Oxford, Department of the History of Art**

Ph.D. on Renaissance realism and the philosophy and psychology of representation.

1988 **McGill University, Montreal, PQ**

B.A., First Class. Joint Honors History and English (medieval studies)

PRINCIPAL AWARDS AND HONORS:

2017-2018 **Cullman Center for Scholars and Writers, New York Public Library**

Research fellowship.

2015-2016 **Leon Levy Center for Biography, CUNY Graduate Center, New York**

Research fellowship.

1992 **University of Oxford**

First recipient of the Isaiah Berlin Scholarship for research in Italy.

1991 - 1994 **Social Sciences and Humanities Research Council of Canada**

Full doctoral scholarship.

1989 - 1991 **Association of Commonwealth Universities**

Commonwealth Scholarship for graduate study at the University of Oxford.

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SELECTED SCHOLARLY AND SPECIALIST PUBLICATIONS:

“Clichés Reach Critical Mass, Take Writers Down Slippery Slope,” in *The Art of Critique: Re-imagining Art Criticism*, ed. Stephen Knudsen. Forthcoming from ARTium Publishing.

“Warhol’s Defiant Hopes for Queer Art,” in *Andy Warhol: Love, Sex, and Desire, Drawings 1950–1962*, ed. Michael Dayton Hermann. New York: Taschen, 2020.

“The Women Who Made Warhol,” in *Warhol Women*. New York: Levy Gorvy, 2019.

“Andy Warhol Outside-In,” in *Adman: Warhol before Pop*, ed. Nicholas Chambers. Sydney: Art Gallery of New South Wales, 2017.

“Crown Jewels for a Philosopher King,” in *Beyond Bling: Contemporary Jewelry*, ed. Rosie Chambers Mills and Bobbye Tigerman. Los Angeles: Los Angeles County Museum of Art, 2016.

“On ‘In Praise of Forgery,’” in *Art Crime: Terrorists, Tomb Raiders, Forgers and Thieves*, ed. Noah Charney. New York: Palgrave MacMillan, 2016.

“Aesthetic Science and Artistic Knowledge,” in *Aesthetic Science: Connecting Minds, Brains, and Experience*, ed. Steven Palmer and Arthur Shimamura. Oxford: Oxford University Press, 2011.

“Revolution in a Can” [on the politics of graffiti]. *Foreign Policy* 189 (2011): 92-93.

“Acomocliticism” [on art and the history of pubic depilation]. *Cabinet Magazine: A Quarterly of Art and Culture* 40 (Winter 2010/11): 35.

Respondent in *Art and Globalization*, ed. James Elkins. University Park, PA: Penn State Press, 2010.

Respondent in *The State of Art Criticism*, ed. James Elkins. New York: Routledge, 2007.

“Physiognomic Theory and a Drawing by Baldassare Peruzzi.” *Konsthistorisk Tidskrift* 66 (1997): 133-141.

“Leopold Foulem’s Conceptual Pottery.” *American Ceramics* 12, 2 (1996): 24-29.

“Contradictory Lightings and the Repainting of Giovanni Bellini’s *Feast of the Gods*.” *La Gazette des beaux-arts* 125 (1995): 201-208.

SELECTED PUBLIC LECTURES AND PANELS:

“Andy Warhol Hated Campbell’s Soup... and other lies of the master.” Lecture at the Oxford Center for Life Writing. Wolfson College, Oxford, March 10, 2020.

“Andy Warhol: From Elf to Grinch and Back Again.” Lecture at the Art Institute of Chicago. Chicago, Dec. 18, 2020.

“Warhol’s Books/Warhol’s World.” Lecture at the Morgan Library and Museum. New York, Feb. 5, 2016.

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“Andy Warhol: Portrait of the Artist as a young Yinzer.” Lecture at the Pittsburgh Humanities Festival. Pittsburgh, March 28, 2016.

“Those Who Don’t Know Art History Are Doomed to Repeat It.” Lecture at the Santa Fe Art Institute. Santa Fe, Aug. 3, 2009.

“The Technologies of Lighting and the Light Seen in Art.” Paper delivered at “Art, Science and Technology – Connections,” a symposium at the Boston Museum of Fine Arts. Boston, March 29, 2009.

“Ken Burns's 'Baseball' and Vermeer's 'View': A Much Closer Look at Dutch Art.” Paper delivered at “Pictures in Art, Science and Engineering,” a conference at the University of California, Berkeley. Berkeley, March 22 -25, 2007.

“Long Live Realism! Realism is Dead.” Public lecture at the Corcoran Gallery of Art. Washington, Sept. 19, 2001.

“Rhetorics of Realism in Renaissance Practice.” Presentation to the American Psychological Association. Toronto, Aug. 11, 1996.

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LIST OF ADDITIONAL PUBLICATIONS

- [Untitled essay on glass from the ancient Near East], forthcoming from Oliver Hoare Ltd., London.
- “Painting that Makes Perfect Sense,” forthcoming in *John Shaw*, privately published, Toronto, Canada.
- “Jasper Johns,” Dec. 2021 at 4columns.org/gopnik-blake/jasper-johns.
- “From the Outside In,” August 21, 2021, at airmail.news/issues/2021-8-21/from-the-outside-in.
- “The NFT Craze Encapsulates the Absurdity of the Art World—And Its Obsession with Authenticity,” March 1, 2021, at <https://www.theartnewspaper.com/2021/03/01/the-nft-craze-encapsulates-the-absurdity-of-the-art-worldand-its-obsession-with-authenticity>.
- “Museums Had Better Not Be Planning for a Return to the Status Quo,” Dec. 31, 2020, at <https://www.theartnewspaper.com/2020/12/31/museums-had-better-not-be-planning-for-a-return-to-the-status-quo>.
- “Damien Hirst: Colour Space Paintings,” June 22, 2020, at gagosian.com/quarterly/2020/06/22/essay-damien-hirst-colour-space-paintings/
- “A Remarkable Exhibition in London Reveals How the Renaissance Painter Titian Once Captured the Troubled Psyche of a Colonial King,” March 24, 2020, at <https://news.artnet.com/art-world/titian-fables-national-gallery-london-1812411>.
- [Introduction], in Rob Roth, *WARHOLCAPOTE: A Non-Fiction Invention*. Forthcoming from Simon&Schuster.
- “Clichés Reach Critical Mass, Take Writers Down Slippery Slope,” in *The Art of Critique: Re-imagining Art Criticism*, ed. Stephen Knudsen. Forthcoming from ARTium Publishing.
- “Warhol’s Defiant Hopes for Queer Art,” in *Andy Warhol: Love, Sex, and Desire, Drawings 1950–1962*, ed. Michael Dayton Hermann. New York: Taschen, 2020.
- “Vija Celmins’s Stunning Show at the Met Breuer Is a Master Class in How Pictures Don’t Work Anymore,” Oct. 22, 2019, at news.artnet.com/art-world/vija-celmins-met-breuer-1684402
- “Is Jeff Koons's 'Rabbit' the Ultimate Modern Icon?,” May 15, 2019, at <https://www.christies.com/features/Blake-Gopnik-on-Rabbit-by-Jeff-Koons-9868-3.aspx>
- “The Women Who Made Warhol,” in *Warhol Women*. New York: Levy Gorvy, 2019.
- “Under the Table,” fall 2018, at <https://gagosian.com/quarterly/2019/02/05/essay-robert-therrien-under-the-table/>

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- “Andy Warhol Outside-In,” in *Adman: Warhol before Pop*, ed. Nicholas Chambers. Sydney: Art Gallery of New South Wales, 2017.
- “Crown Jewels for a Philosopher King,” in *Beyond Bling: Contemporary Jewelry*, ed. Rosie Chambers Mills and Bobbye Tigerman. Los Angeles: Los Angeles County Museum of Art, 2016.
- [Catalog essay], in Veronica Roberts, *Nina Katchadourian: Curiouser*. Austin, Texas: Blanton Museum of Art, 2017.
- “On ‘In Praise of Forgery’,” in *Art Crime: Terrorists, Tomb Raiders, Forgers and Thieves*, ed. Noah Charney. New York: Palgrave MacMillan, 2016.
- “How is the proliferation of art fairs changing the business?,” Feb. 23, 2015, at english.elpais.com/elpais/2015/02/20/inenglish/1424442393_097596.html
- “In Defense of Faking It,” March, 2014, at <https://brooklynrail.org/2014/03/art/the-held-essays-on-visual-art-in-defense-of-faking-it>
- “Exhibition Review: James Turrell at the Guggenheim,” June 20, 2013 at <https://www.architecturalrecord.com/authors/420-blake-gopnik>
- “Clichés Lead Critics Down Slippery Slope,” Feb. 2013, at <https://brooklynrail.org/2013/02/artseen/clichs-lead-critics-down-slippery-slope>
- “The Perils Of The Special Exhibition,” *The Art Newspaper*, April 2013.
- “Aesthetic Science and Artistic Knowledge,” in *Aesthetic Science: Connecting Minds, Brains, and Experience*, ed. Steven Palmer and Arthur Shimamura. Oxford: Oxford University Press, 2011.
- “Revolution in a Can” [on the politics of graffiti]. *Foreign Policy* 189 (2011): 92-93.
- “Acomocliticism” [on art and the history of pubic depilation]. *Cabinet Magazine: A Quarterly of Art and Culture* 40 (Winter 2010/11): 35.
- Respondent in *Art and Globalization*, ed. James Elkins. University Park, PA: Penn State Press, 2010.
- Respondent in *The State of Art Criticism*, ed. James Elkins. New York: Routledge, 2007.
- “Physiognomic Theory and a Drawing by Baldassare Peruzzi.” *Konsthistorisk Tidskrift* 66 (1997): 133-141.
- “Leopold Foulem’s Conceptual Pottery.” *American Ceramics* 12, 2 (1996): 24-29.
- “Contradictory Lightings and the Repainting of Giovanni Bellini’s Feast of the Gods.” *La Gazette des beaux-arts* 125 (1995): 201-208.